

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Thomas Zdeblick et al.	)	Julian W. Woo
	)	
CON of Serial No. 09/518,981	)	Group Art Unit 3731
(Filed March 3, 2000)	)	
	)	Ref. No. 4002-3378 /
Filed August 20, 2003	)	PC242.38
	)	
INTERBODY FUSION DEVICE AND	)	August 20, 2003
METHOD FOR RESTORATION OF	)	
NORMAL SPINAL ANATOMY	)	

**INFORMATION DISCLOSURE STATEMENT**

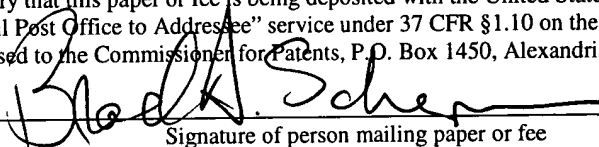
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation form. Copies of the items listed in this IDS form are not being provided herewith pursuant to 37 C.F.R. § 1.98(d) since they were previously cited by the Examiner or submitted and considered in prior **Patent Application Serial No. 09/518,981** filed on March 3, 2000, which is being relied upon for an earlier effective filing date under 35 USC §120.

**Mail Label No. EL984269831US Date of Deposit: August 20, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature of person mailing paper or fee

Information Disclosure Statement  
INTERBODY FUSION DEVICE AND METHOD FOR  
RESTORATION OF NORMAL SPINAL ANATOMY  
Filed August 20, 2003  
Inventors: Thomas Zdeblick et al.  
Page 1 of 2

The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By: 

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 1 of 8				Atty. Docket No. 4002-3378		Serial No. New		
				Applicant Zdeblick et al.				
				Filing Date August 20, 2003		Group Unknown		
<b>U.S. PATENT DOCUMENTS</b>								
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate	
	1	3,486,505	12/01/69	Morrison	128	303		
	2	3,848,601	11/01/74	Ma, et al.	128	305		
	3	3,866,510	02/1975	Eibes, deceased, et al.	411	418		
	4	4,003,287	01/1977	Ziaylek, Jr.	411	418		
	5	4,309,777	01/01/82	Patil	3	1.91		
	6	4,349,921	09/01/82	Kuntz	3	1		
	7	4,501,269	02/01/85	Bagby	128	92		
	8	4,526,909	07/01/85	Urist	523	115		
	9	4,545,374	10/01/85	Jacobson	128	303		
	10	4,573,448	03/01/86	Kambin	128	1		
	11	4,596,574	06/01/86	Urist	623	16		
	12	4,599,086	07/01/86	Doty	623	17		
	13	4,627,853	12/01/86	Campbell	623	16		
	14	4,678,470	07/01/87	Nashef, et al.	623	16		
	15	4,714,469	12/01/87	Kenna	623	17		
<b>FOREIGN PATENT DOCUMENTS</b>								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	1	CA 2,015,507	04/1990	Canada				
	2	DE 3505567A	06/1986	Germany				
	3	EP 0077159	10/1982	Europe				
	4	EP 0179695	09/1985	Europe				
	5	EP 0635246	01/1995	Europe				
Examiner				Date Considered				
<b>*Examiner:</b> initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 8				Atty. Docket No. 4002-3378		Serial No. New	
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<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	16	4,736,738	04/01/88	Lipovsek, et al.	128	92	
	17	4,743,256	05/01/88	Brantigan	623	17	
	18	4,743,259	05/01/88	Bolander, et al.	623	16	
	19	4,759,766	07/01/88	Buettner-Janz, et al	623	17	
	20	4,772,287	09/01/88	Ray, et al.	623	17	
	21	4,820,305	04/01/89	Harms, et al.	623	16	
	22	4,834,757	05/01/89	Brantigan	623	17	
	23	4,863,476	09/01/89	Shepperd	623	17	
	24	4,877,020	10/01/89	Vich	128	92	
	25	4,878,915	11/01/89	Brantigan	623	17	
	26	4,892,545	01/01/90	Day, et al.	623	17	
	27	4,904,261	02/01/90	Dove, et al.	623	17	
	28	4,917,704	04/01/90	Frey, et al.	623	17	
	29	4,932,975	06/01/90	Main, et al.	623	17	
	30	4,936,848	06/01/90	Bagby	623	17	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation Yes    No
	6	EP 0637440	08/1995	Europe			
	7	EP 0646366	05/1995	Europe			
	8	FR 2710519A1	09/1993	France			
	9	WO 87/07827	12/1987	PCT			
	10	WO 90/00037	01/1990	PCT			
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<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	31	4,961,740	10/01/90	Ray, et al.	606	61	
	32	5,002,576	03/01/91	Fuhrmann, et al.	623	17	
	33	5,015,247	05/01/91	Michelson	606	61	
	34	5,030,474	07/01/91	Saita, et al.	427	2	
	35	5,055,104	10/01/91	Ray	606	61	
	36	5,062,850	11/01/91	MacMillan, et al.	623	17	
	37	5,068,122	11/01/91	Kokubo, et al.	427	2	
	38	5,071,437	12/01/91	Steffee	623	17	
	39	5,128,169	07/01/92	Saita, et al.	427	2	
	40	5,133,755	07/01/92	Brekke	623	16	
	41	5,147,402	09/01/95	Bohler, et al.	623	16	
	42	5,147,404	09/01/92	Downey	623	17	
	43	5,164,187	11/01/92	Constantz, et al.	424	423	
	44	5,188,670	02/01/93	Constantz	118	667	
	45	5,192,327	03/01/93	Brantigan	623	17	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation Yes    No
	11	WO 91/06261	05/1991	PCT			
	12	WO 92/14423	09/1992	PCT			
	13	WO 94/11040	05/1994	PCT			
	14	WO 94/26893	11/1994	PCT			
	15	WO 95/08306	03/1995	PCT			
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<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	46	5,207,710	05/01/93	Chu	623	16	
	47	5,236,460	08/01/93	Barber	623	17	
	48	5,258,029	11/01/93	Chu, et al.	623	16	
	49	5,263,456	08/01/93	O'Leary, et al.	623	16	
	50	5,279,831	01/01/94	Constantz, et al.	424	423	
	51	5,282,861	02/01/94	Kaplan	623	16	
	52	5,290,312	03/01/94	Kojimoto, et al.	623	17	
	53	5,306,307	04/01/94	Senter, et al.	623	17	
	54	5,306,309	04/01/94	Wagner, et al.			
	55	5,306,310	04/01/94	Siebels	623	17	
	56	5,330,826	07/01/94	Taylor, et al.	428	216	
	57	5,338,433	08/01/94	Maybee, et al.	205	178	
	58	5,344,654	09/01/94	Rueger, et al.	424	423	
	59	5,348,026	09/01/94	Davidson	128	898	
	60	5,360,430	11/01/94	Lin	606	61	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation Yes    No
	16	WO 95/15133	06/1995	PCT			
	17	WO 96/22747	08/1996	PCT			
	18	DE 2910627	09/1980	Germany			
	19	WO 87/07827	12/1987	PCT			
	20	GB 2 287 654 A	09/1995	Great Britain			
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<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	61	5,366,508	11/01/94	Brekke	623	16	
	62	5,397,364	03/01/95	Kozak, et al.	623	17	
	63	5,405,391	04/01/95	Hednerson, et al.	623	17	
	64	5,417,975	05/01/95	Lussi, et al.	424	423	
	65	5,423,816	06/01/95	Lin	606	61	
	66	5,423,817	06/01/95	Lin	606	61	
	67	5,425,769	06/01/95	Snyders, Jr.	623	16	
	68	5,425,772	06/01/95	Brantigan	623	17	
	69	5,439,464	08/01/95	Shapiro	606	83	
	70	5,439,684	08/01/95	Prewett, et al.	424	422	
	71	5,443,514	08/01/95	Steffee	623	17	
	72	5,443,515	08/01/95	Cohen, et al.	623	17	
	73	5,455,231	10/01/95	Constantz, et al.	514	21	
	74	5,458,638	10/01/95	Kuslich, et al.	623	17	
	75	5,464,439	11/01/95	Gendler	623	16	
<b>FOREIGN PATENT DOCUMENTS</b>							
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<b>U.S. PATENT DOCUMENTS</b>							
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	76	5,484,437	01/01/96	Michelson	606	61	
	77	5,489,307	02/01/96	Kuslich, et al.	623	17	
	78	5,489,308	02/01/96	Kuslich, et al.	623	17	
	79	5,505,732	04/09/96	Michelson	606	61	
	80	5,507,813	04/01/96	Dowd, et al.	623	16	
	81	5,510,396	04/01/96	Prewett, et al.	523	113	
	82	5,514,180	05/01/96	Heggeness, et al.	623	17	
	83	5,534,031	07/01/96	Matsuzaki et al.	623	17	
	84	5,562,736	10/01/96	Ray, et al.	623	17	
	85	5,584,831	12/01/96	McKay	606	61	
	86	5,585,116	12/01/96	Boniface, et al.	424	549	
	87	5,591,235	01/01/97	Kuslich	623	17	
	88	5,593,409	01/01/97	Michelson	606	61	
	89	5,601,556	02/01/97	Pisharodi	606	61	
	90	5,609,635	03/01/97	Michelson	623	17	
<b>FOREIGN PATENT DOCUMENTS</b>							
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				Filing Date August 20, 2003		Group Unknown	
<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	91	5,609,636	03/01/97	Kohrs, et al.	623	17	
	92	5,645,591	07/01/97	Kuberasampath	623	16	
	93	5,645,598	07/01/97	Brosnahan, III	623	17	
	94	5,646,084	07/01/97	Patton, et al.	502	152	
	95	5,653,762	08/05/97	Pisharodi	623	17	
	96	5,658,285	08/19/97	Marnay, et al.	606	61	
	97	5,658,336	08/19/97	Pisharodi	623	17	
	98	5,669,909	09/01/97	Zdeblick, et al.	606	61	
	99	5,683,394	11/01/97	Rinner	606	86	
	100	5,683,463	11/01/97	Godefroy, et al.	623	17	
	101	5,709,683	01/01/98	Bagby	606	61	
	102	5,713,899	02/01/98	Marnay et al.	606	61	
	103	5,766,251	06/01/98	Koshino	623	16	
	104	5,766,252	06/01/98	Henry, et al.	623	17	
	105	5,766,253	07/01/98	Brosnahan, III	623	17	
	106	5,776,196	07/01/98	Matsuzaki et al.	623	17	
	107	5,860,973	01/19/99	Michelson	606	61	
<b>FOREIGN PATENT DOCUMENTS</b>							
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				Filing Date August 20, 2003		Group Unknown	

U.S. PATENT DOCUMENTS							
*Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate	
	108	5,865,847	02/01/99	Kohrs et al.	623	17	
	109	5,876,457	03/01/99	Picha et al.	623	17	
	110	5,885,287	03/01/99	Bagby	606	61	
	111	5,888,224	03/30/99	Beckers et al.	623	17	
	112	5,897,593	04/01/99	Kohrs et al.	623	17	
	113	5,906,616	05/01/99	Pavlov et al.	606	61	
	114	5,968,098	10/01/99	Winslow	623	17	
	115	5,984,922	11/01/99	McKay	606	61	
	116	6,010,502	01/01/00	Bagby	606	61	
	117	6,019,760	02/01/00	Metz-Stavenhagen	606	61	
	118	6,149,650	11/21/00	Michelson	606	61	
	119	6,156,040	12/05/00	Yonemura et al.	606	99	
	120	6,165,219	12/26/00	Kohrs et al.	623	17.11	
	121	DES377,095	12/01/96	Michelson	D24	155	
	122	DES377,096	12/01/96	Michelson	D24	155	
	123	Re. 34,037	08/01/92	Inoue, et al.	604	93	
	124	Re. 37,005	12/26/00	Michelson et al.	606	99	

FOREIGN PATENT DOCUMENTS							
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation		
					Yes	No	

Examiner	Date Considered
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